

FILED 24 DEC 23 16:05 USDC-ORM

1. Emergency Motion for Reconsideration of Denial of Temporary Injunction

IN THE UNITED STATES DISTRICT COURT
DISTRICT OF OREGON

Plaintiff: Charles De Raedt

Defendants: La Clinica et al

Case No.: 1:24-CV-01844-CL

To: Hon. Judge Mustafa Kasubhai
(Eugene)

EMERGENCY MOTION FOR RECONSIDERATION OF DENIAL OF TEMPORARY INJUNCTION

COMES NOW Plaintiff, proceeding pro se, and respectfully submits this Emergency Motion for Reconsideration of the Court's denial of Plaintiff's request for a Temporary Injunction, pursuant to Federal Rules of Civil Procedure 59(e) and/or 60(b). Plaintiff urgently requests the Court to reconsider its denial and grant the requested emergency relief before the Court's closure for the holidays to prevent imminent, irreparable harm and the potential loss of Plaintiff's life.

INTRODUCTION

Plaintiff faces immediate and life-threatening circumstances following the denial of the injunction on December 23, 2024. Since that ruling:

1. Plaintiff was physically assaulted by two individuals, one armed, sustaining life-threatening injuries and requiring emergency medical care.
2. Plaintiff, who is on blood thinners for pulmonary embolism, required an emergency brain CT scan to evaluate for potentially fatal brain bleeding due to the assaults.
3. On the same day as the denial, Plaintiff was assaulted again by one of the initial assailants, compounding the immediate risk to Plaintiff's health and safety.
4. Due to being unmedicated and living outside on the streets, Plaintiff's health has deteriorated further, rendering Plaintiff physically incapable of walking or traveling to the post office to retrieve court correspondence, including the reasons for the denial.

Plaintiff emphasizes that the original injunction requested not only access to life-saving medications and medical care, but also access to housing, food, and other critical necessities such as a laptop to allow Plaintiff to litigate effectively.

STATEMENT OF FACTS

1. Plaintiff filed an original motion for a Temporary Injunction seeking:
 - o Access to life-sustaining medications.

- Urgent medical treatment for advanced, aggressive metastatic cancer.
- Housing, to prevent Plaintiff from being exposed to dangerous conditions living on the streets.
- Food assistance (restoration of EBT benefits cut off without valid reason).
- A laptop and related resources to enable Plaintiff to litigate the case effectively.

2. On December 23, 2024, the Court denied Plaintiff's request.
3. Since the denial:
 - Plaintiff was physically assaulted by two individuals, one armed, resulting in head trauma and other injuries.
 - Plaintiff required an emergency brain CT scan to evaluate for life-threatening brain bleeding due to being on blood thinners.
 - Plaintiff's unprotected living conditions directly facilitated these assaults, as Plaintiff was attacked while sleeping outside.
 - Plaintiff has experienced further deterioration in physical health due to remaining unmedicated and under severe duress, rendering Plaintiff incapable of traveling to retrieve court correspondence or managing daily survival needs.

RELIEF REQUESTED

Plaintiff respectfully requests that the Court:

1. Reconsider its denial of the Temporary Injunction.
2. Grant the requested relief, compelling Defendants to provide:
 - Immediate access to life-sustaining medications and medical care.
 - Housing and basic necessities to prevent further harm.
 - Restoration of food assistance benefits.
 - Provision of a laptop to allow Plaintiff to litigate effectively.

Due to Plaintiff's current physical condition and the severe time constraints, Plaintiff requests expedited consideration.

Dated: December 23, 2024

Respectfully submitted,

Charles De Raedt

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Pro Se Plaintiff


Charles De Raedt 12/23/24